

The information covered also a shipment of *Ramol* which was intended for use as a food. This latter shipment was alleged to be misbranded under the provisions of the law applicable to foods.

**DISPOSITION:** December 19, 1947. Pleas of guilty having been entered, the court imposed fines of \$300 and costs against Warren J. Frank and \$600 and costs against Douglass B. Pew.

**DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR AN ACCURATE STATEMENT OF THE QUANTITY OF THE CONTENTS\***

**2399. Misbranding of Apex Glossatina and Apex Medicated Scalp Cream. U. S. v. The Apex News & Hair Co., Inc., and Archibald J. Morgan. Pleas of guilty. Corporation fined \$500; individual sentenced to 1 day in custody of U. S. marshal. (F. D. C. No. 23253. Sample Nos. 5096-H, 11881-H, 66405-H to 66407-H, incl.)**

**INFORMATION FILED:** October 30, 1947, District of New Jersey, against the Apex News & Hair Co., Inc., Atlantic City, N. J., and Archibald J. Morgan, president of the corporation.

**ALLEGED SHIPMENT:** On or about May 29 and June 13, 1946, and January 14, February 10, and March 14, 1947, from the State of New Jersey into the States of Pennsylvania and Massachusetts.

**LABEL, IN PART:** "Apex Glossatina Anti Burn Hair and Scalp Ointment \* \* \* Net Contents 4 Ozs." or "Apex Medicated Scalp Cream \* \* \* Net Contents 3 Ozs."

**NATURE OF CHARGE:** Misbranding, Section 502 (b) (2), the articles failed to bear labels containing accurate statements of the quantity of the contents. (The articles were short-weight.)

**DISPOSITION:** December 19, 1947. Pleas of guilty having been entered, the court imposed a fine of \$500 against the corporation and sentenced the individual to serve one day in the custody of the U. S. marshal.

**2400. Misbranding of Apex Glossatina and Apex Medicated Scalp Cream. U. S. v. 21 Dozen Containers, etc. (and 1 other seizure action). (F. D. C. Nos. 22950, 22951. Sample Nos. 66405-H to 66407-H, incl.)**

**LIBELS FILED:** April 18, 1947, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about January 17, February 11, and March 14, 1947, by the Apex News & Hair Co., Inc., from Atlantic City, N. J.

**PRODUCT:** 37½ dozen metal containers of *Apex Glossatina* and 63 metal containers of *Apex Medicated Scalp Cream* at Philadelphia, Pa.

**LABEL, IN PART:** "Apex Glossatina Anti Burn Hair and Scalp Ointment \* \* \* Net Contents 4 Ozs." or "Apex Medicated Scalp Cream \* \* \* Net Contents 3 Ozs."

**NATURE OF CHARGE:** Misbranding, Section 502 (b) (2), the articles failed to bear labels containing accurate statements of the quantity of the contents. (The articles were short-weight.)

**DISPOSITION:** May 20, 1947. Default decrees of condemnation and destruction.

\*See also Nos. 2359, 2360.